

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Bail Appl..No. 343 of 2015

**CRIME NO. 2/2014 OF EXCISE ENFORCEMENT & ANTI NARCOTIC SPECIAL SQUAD ,
KOZHIKODE**

PETITIONER(S)/ACCUSED :

**SALEEM @ VEMBILISALEEM, AGED 56 YEARS,
S/O.HASSAN KOYA (LATE),
RESIDING AT CHENNALERI PARAMBA, PANNIYANKARA AMSOM,
CHAKKUM KADAVU DESOM, KOZHIKODE TALUK,
KOZHIKODE DISTRICT.**

BY ADV. SMT.K.LASITHA

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.343 of 2015
.....

Dated this the 27th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.2/2014 of Excise Enforcement and Anti Narcotic Special Squad, Kozhikode pending investigation for the offence punishable under Section 20(b) ii (B) of the NDPS Act, 1985.

3. The allegation against the petitioner is that on 29.01.2014 at 11.50 a.m., he was found in possession of 1.150 Kg. of ganja, in contravention of the provisions of the NDPS Act, 1985. It seems that he was found engaged in three other cases involving similar offences. In two cases, he is involved in possessing ganja, and in the other case, he was found in possession of manufactured drug. Consequently, crime Nos.9/2014, 4/2014 and 476/2014 were also registered against him. Presently, the petitioner has been in custody for the period from 25.11.2014

onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. It has come out that on 31.03.2014 he was enlarged on bail on conditions. It seems that as he has committed offences of similar nature and he was involved in other crimes as noted above, his bail granted earlier was cancelled and warrant was issued against him. He was arrested on 25.11.2014 and thereafter, he has been in custody. Considering the aforesaid facts, I am of the view that he is not entitled to be enlarged on bail.

In the result, this Bail Application is dismissed. The court below is directed to expedite the trial of the case against the petitioner and to dispose of the same, as expeditiously as possible.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/27/01

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*PA to Judge*